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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 53080
 Hideo NAKAGAWA, et al. : Confirmation Number: 5215
 Application No.: 10/578,003 : Group Art Unit: 2826
 Filed: May 03, 2006 : Examiner: WILLIAMS, ALEXANDER O.
 :
 For: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Noting the Office Action of September 27, 2007 wherein restriction has been required, Applicant hereby elects Species II, identifying Figs. 2a and 2b and claims 1, 3, 6 and 7 as readable thereon for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
 Registration No. 36,139

**Please recognize our Customer No. 53080
 as our correspondence address.**

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 Date: October 23, 2007